

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

DIRECTIVE 3031.1 11/26/93

CLEARANCE OF PUBLIC REPORTING AND RECORDKEEPING

1. PURPOSE

This Directive states the Animal and Plant Health Inspection Service (APHIS) policy for information collections and recordkeeping when information is collected from the public.

2. AUTHORITIES

The authorities are contained in the following:

- a. Paperwork Reduction Reauthorization Act of 1986 (Title 44 U.S.C. Chapter 35).
- b. Title 5, Code of Federal Regulations, Part 1320, Controlling Paperwork Burdens on the Public.
- c. Departmental Regulation 3410-1, Information Collection Activities.

3. POLICY

It is APHIS policy to collect only essential information. The collection of information will be conducted in the most efficient, effective, and economical manner possible.

4. DEFINITIONS

- a. Practical Utility. The ability of an agency to use the information it collects, particularly the capability to process such information, in a timely and useful fashion.
- b. Respondent. Any individual (excluding a Federal employee performing official duties), corporation, firm, partnership, institution, State, Territorial, or foreign government from whom information is obtained or requested for the use of the Federal Government.
- c. Clearance. The process of obtaining the Office of Management and Budget (OMB) approval for an information collection through the Agency Senior Information Resources Management Official (SIRMO) and the Office of Information Resources Management (OIRM).

5. RESPONSIBILITIES

- a. The Deputy Administrator for Management and Budget or his/her designee is the Agency SIRMO. The SIRMO will assess all collections of information to ensure that regulatory requirements are met.
- b. The Management Services Division (MSD), Documents Management Branch (DMB), Directives and Paperwork Section (DPS), is the liaison between the Agency SIRMO and OIRM.

DPS will notify the appropriate division or staff 120 days before the expiration of current approvals and will ensure that the information collected displays a valid OMB control number.

- c. APHIS Divisions and Program Staffs will designate a forms and reports liaison officer. The forms and reports liaison officer will report changes in reporting or recordkeeping requirements involving the public to DPS. [NOTE: The Office of the Administrator staffs and Management and Budget divisions will notify their Division/Staff Director Branch Chiefs respectively of changes in recordkeeping requirements involving the public to DPS.] All clearance requests will be forwarded to DPS after review and clearance by the appropriate unit representative.
6. TIMEFRAMES FOR PROCESSING AND OBTAINING OMB APPROVAL
- a. Division and program staffs should request OMB approval at least 120 days before their planned collection of information or the expiration of a previously approved OMB cleared form.
 - b. Collection of information from the public without OMB approval is illegal.
7. CLEARANCE REQUIREMENTS
- a. Reporting and Recordkeeping Requirements To Be Cleared. The following must be cleared:
 - (1) Proposed reporting, including dockets for Federal Register publication which contain reporting or recordkeeping requirements.
 - (2) Revisions of reporting previously approved. This includes changes in the type and amount of information sought, number of respondents, and the time and frequency of reporting.
 - (3) Extensions of approvals beyond the stipulated expiration date previously approved by OMB.
 - b. Actions Before Requesting Clearance. Before requesting clearance of reporting or recordkeeping requirements, the requester will determine that:
 - (1) The information requested does not exceed the limits of reasonable need or practical use.
 - (2) The number of respondents, frequency of collection, and information collected is essential.
 - (3) The requested information is not already available in the Department or from any other Government agency.
 - c. Unapproved Collections of Information. Unapproved collections of information that are in use are called "bootlegs." Should OMB discover "bootleg" collections, they will take the following actions:
 - (1) OMB will immediately inform the agency's SIRMO to cease sponsoring or conducting the collection of information until OMB approves the collection.
 - (2) If the agency does not immediately cease collecting the information and request OMB review of the "bootleg," OMB will send the Administrator a letter directing him or her to "cease and desist" the collection of information. (A letter may also be sent to Congress informing them of the violation of the Paperwork Reduction Act.)

- (3) If the agency does not respond in a reasonable amount of time, OMB may issue a notice in the Federal Register that the public is not required to comply with the agency request for information.

8. EXEMPTIONS

The following information collections are exempt from OMB clearance requests:

- a. Information collections which are necessary only to identify respondent, date, respondent's address, consents, affidavits, acknowledgements, affirmations, certifications, receipts, and changes of address.
- b. Facts obtained by direct observation by a Federal employee or agent of the sponsoring agency.
- c. Facts or opinions submitted in response to general solicitations for comment, provided that no person is required to supply specific information.
- d. Examinations designed to test the aptitude, abilities, or knowledge of the person tested.
- e. Nonstandardized followup questions designed to clarify responses to approved collections of information.

9. INQUIRIES

Direct inquiries to DPS, DMB, MSD, on 301-436-7705.

/s/ Phyllis York /s/

Acting Deputy Administrator
for Management and Budget